

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
EASTERN DIVISION

FILED

MAY 24 2002

4:00-CV-194-BO(3)

DAVID W. DANIEL, CLERK
US DISTRICT COURT, EDNC
BY YV DEP. CLERK

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
QUALITY BUILT CONSTRUCTION, INC.)
f/k/a Dawn Construction, Inc., WILLIAM)
DANSEY, JR., and HITE/MSM, P.C.,)
)
Defendants.)
_____)

**DEFENDANT HITE/MSM, P.C.'S MOTION
FOR PARTIAL SUMMARY JUDGMENT**

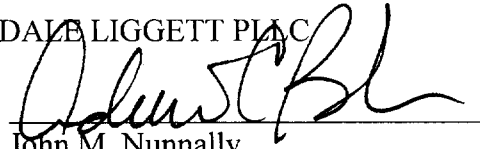
NOW COMES defendant Hite/MSM, P.C., through counsel, pursuant to Rule 56 of the Federal Rules of Civil Procedure and moves this Court for an Order entering summary judgment in favor of this defendant on the issue of punitive damages and civil penalties on the basis that no evidence produced suggests that this defendant intentionally violated federal law, acted with malice or recklessly disregarded the rights of anyone. Pursuant to Rule 4.04 of the Local Rules of Practice and Procedure of the United States District Court for the Eastern District of North Carolina, a supporting memorandum is being filed contemporaneously with the instant motion.

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This the 24th day of May, 2002.

RAGSDALE LIGGETT PLLC

By:

A handwritten signature in black ink, appearing to read "John M. Nunnally", is written over a horizontal line.

John M. Nunnally

N.C. Bar #: 19203

Andrew C. Buckner

N.C. Bar #: 26527

Attorneys for Defendant Hite

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CERTIFICATE OF SERVICE

This is to certify that on the 24th day of May, 2002, a copy of the foregoing **DEFENDANT HITE/MSM, P.C.'S MOTION FOR PARTIAL SUMMARY JUDGMENT** has been duly served by depositing a copy thereof in the United States mail, first-class, postage prepaid, addressed to the following counsel of record:

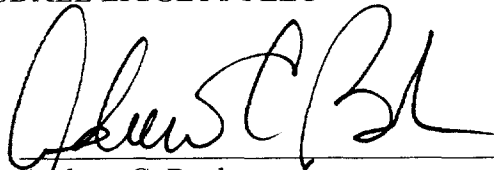
Scott P. Moore (and via facsimile)
United States Department of Justice
950 Pennsylvania Ave., N.W.
Civil Rights Division
Housing and Civil Enforcement Section - G St.
Washington, D.C. 20530

Rudy Renfer
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310 New Bern Avenue, Suite 800
Raleigh, North Carolina 87601-1461

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Young Moore and Henderson P.A.
Post Office Box 31627
Raleigh, North Carolina 27622

RAGSDALE LIGGETT PLLC

By:

A handwritten signature in black ink, appearing to read "Andrew C. Buckner", written over a horizontal line.

Andrew C. Buckner
Attorney for Defendant Hite